

The Board of Selectmen met on Tuesday, March 3, 2015 beginning at 7:00pm in the New Executive Conference Room of the Town Hall for a workshop session. The following members were present.

Mark Gallivan, Chairman  
Christopher Timson, Vice Chairman  
Nancy Mackenzie, Clerk  
Clifton Snuffer  
James Stanton

Also Present  
James Johnson, Town Administrator  
Attorney Lauren Goldberg  
Ron Fucile, Town Clerk

### Town Charter Discussion

The Board talked about charter changes, not large ones. Seem to be some small changes the Board wants to address. One is the words “must” and “shall”. We need based on 1939 law; “shall” has to have an imperative penalty. Mr. Gallivan talked about how we would set up a charter committee.

Mr. Fucile noted the Selectmen have two petitions that they must address, timeline is very important and how we address it.

Attorney Goldberg stated there are two distinct ways

#### Option 1-Home Rule Procedures Act

1. Chapter 43B, Home Rule Procedures Act- a charter may be revised after a petition for a question to local voters, election of a charter commission to propose a revision and approval by voters.
2. Elected charter commission, it has to be initiated by petition 15% of the voters. Filed no less than 100 days before the election at which the questions appears on the ballot. Any recommendation, there must be one public hearing, a preliminary report and a final report. Major or minor or nothing. It can make major changes, they can be recommended by them. Never goes to Town Meeting it, goes to ballot, then goes to Attorney General's office. Standard ballot question. Summary would be prepared by them. Enough people interested.

#### Option 2-Home Rule Amendment

Any other changes, those changes, proposed by T. Mtg. How does it get there, by petition, Board of Selectmen, directly on to the warrant 2/3 vote is required. It is reported to Attorney General. Takes effect 30 days after the Attorney General.

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Within 90 days must go on the ballot. (It can include a committee put together by a Committee)

### Option 3 Special Act Charter

The Board can put together a committee to review only for the idea of recommending. There is a lot of flexibility. If you make it on the warrant, it is a proposed and then if approved must go on a ballot.

Mr. Fucile noted we do not have a home rule charter, we have a legislator approved.

Attorney Goldberg felt a minor amendment may be significant but might not be. With special legislation, Town Meeting authorizes by majority vote, no requirement be approved by voters. Benefit, is if they are not significant. There is a new Governor and, new senate counsel. It is not clear how the process is going to be for a while. It is a similar procedure. Major amendment, they would probably want to see voter supported.

It could be by petition, committee you appoint, anyone who would have access, could propose special legislation to the Charter. Which route to take is not decided until the end of the process?

The elected charter committee is required to have a public hearing. Most Selectmen will have a public hearing, even if not required in Option 2. If you charge a committee, have them require public hearing. You want to have a committee that is broadly representing the public. Encourage participation with a public hearing. You might encourage the committee to meet with department heads etc.

A question on what is difference between a change proposed by the Board and Special legislation. Attorney Goldberg explained it can include major. Dedham, appointed a charter review committee. They had each Selectmen member appoint someone. T. moderator appointed someone. They looked at grammar, clerical amendments, moved definitions, and removed repetition. They recommended elected boards to appointed, T. Administrator to T. Manger. They eliminated language for removing the Town Administrator and employees. They looked at things that were important to them. It took 1 ½ years with Special legislation.

Mr. Snuffer wanted to know how we treat the private petition amendments. She explained that Chapter 43B Section 10 amendments may be initiated by anyone.

Mr. Snuffer felt special legislation is probably the better route, but how the town handles the two petitions, specifically with the Prisoner count. Attorney Goldberg will talk to the Attorney Goldberg. Mr. Gallivan long term he does not think anyone cares if they are not counted. The short term, some people say precinct 5 is over

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represented. From a precinct point of view that is where people get caught up. Attorney Goldberg noted if you are incarcerated you cannot vote. That change in the law has significance. She will talk to Attorney General to see if it is a major or minor amendment. The Attorney General will decide if it is consistent. Regardless you need to have an official dialogue about MCI. It is a significant issue. It deserves further consideration. The Articles presented will go on the Fall Town Meeting Warrant.

#### Michael Yanovitch Building Commissioner

Mike Yanovitch talked about recent events in Town due to the snow. There were two significant but not complete collapses. Rolls Royce had two beams that went down. Two pieces sheared, the rest of the beams had failed. They found it and they had to put new flanges on it. Atlas moving had a partial failure. Middle of the building crumpled. Nonstop have had some snapped roofs .

Mr. Snuffer wanted to know how often you get involved with Planning Board. He explained that most time applications to the Planning Board starts in our office. A lot of time they come to us. He is dealing directly with Planning Board. Brookline was zoning heavy. Every day in the bldg. dept. you deal with zoning. Interaction with Planning Board and staff was every day. They were across the hall. Explained how things worked in Brookline. Planning Board made a recommendation to ZBA. They made the decisions. Mr. Snuffer, knowing that, do you consider a facilitator or aid to Planning Board. You are both. Attorney Quick says the applicant has to be the one to know how to present. Mike, you need to see cases, and he has been reading ZBA and PB cases. Mr. Snuffer noted we have a few things coming up, Woodworkers site and cluster zoning in N. Walpole. Those take a very cautious look at our Bylaws.

Mrs. Mackenzie, what is your evaluation of your dept. Mike does not think there is anything wrong. The technology, GEOTMS if anything goes wrong with GeoTms. The biggest thing with permit tracking software it is an archaic program. Need a better program. I have asked for part time person, because we can't drop what we are doing to go upstairs to search for documents.

Mr. Timson talked about digitizing plans and decisions. There are companies that do that but it was noted it is very costly.

Mr. Snuffer can this be outsourced? What is the cost on that? Mike stated that his plan was to use this part time person to help Elizabeth Gaffey, staff assistant. She needs assistance.

#### Elizabeth Dennehy, ECD Officer

Mr. Johnson explained he had a good meeting with Planning Board and she will be community development director. A couple members of the EDC met with MAPC

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and they are under a contract Downtown strategic action plan, \$15,000 thru Mass housing. Sometimes regional planning documents end up on the shelf. We were pleased with what they have been working on. Interesting information, what portions of our population has for spending power. Open House in April, we will schedule on an off Tuesday, Steps we can take to foster development that we want to see in the downtown. Mr. Johnson noted Acumentrics, a battery manufacturer, located in Westwood, looking for bigger facility.

Letter of intent they think they have chosen us. 32,000 s.f. facility and by 2017 they are looking at 75 employees, wants to do a TIF agreement. He would not formally say Walpole, but there were no letters to other towns. Ms. Dennehy told them we will need a location if they want TIF.

Mrs. Mackenzie wanted to know her thoughts on Design review. Ms. Dennehy feels there is some clean up in Zoning that needs to be done. Mrs. Mackenzie felt Liz should lead the agenda on Design review.

#### Spring Town Meeting Articles, Facilities.

Mr. Johnson gave a brief overview of the articles for Municipal Facilities. Chief Stillman noted there are more cells that are really needed. There are things that you can do to cut the price. Should look at two levels as there might be a Senior Center. Mr. Snuffer noted this article is very appropriate. We have established that the police station is the first facility. Mr. Snuffer mentioned in the next two articles they mentioned Project manager. JJ explained it has to be in there. At the last work session, I broke down the funding. Would need to find a plan, but be careful as some people will think

The Board talked about what needs to happen before Town Meeting. It was decided to do an open house so people may view the Station. The motion should be subject to acquiring the property. Mr. Gallivan speaking to cliff, involving Mr. Valencourt in this. Mr. Snuffer suggested involving Mr.'s Valencourt, Obar, Pila, Moraski and Guyette. The members will reach out to these residents. Would like to have a workshop on March 19 at 7pm

#### Articles 2,3,4

Mr. Johnson briefly reviewed Articles 2,3,4 noting they have to deal with the salary schedule and the 2.5% increase for non-union staff. There is also the addition of a Community Development Director position as it was deleted from the schedule in 2012. New position for Asst. Recreation Director/Business Manager and change from p-11 to p-10 for three Administrative Secretaries, Fire Dept., Police Dept. and DPW Administration. Added Deputy Local inspector to Inspection Schedule and Grant Schedule changed Elder service advocate from a flat rate of \$15.50 to a maximum of \$20.50.

He updated the Board on the budget deficit due to snow and ice. Then talked about the deficit in Schools and the overtime budget in the Fire Dept. The Fin Com is having a difficult time with the S. Committee, wants an itemized breakdown.

He talked about Articles 16 and 17. Article 17 will be a No Action Vote.

MOTION moved by Mr. Timson to adjourn at 10:30pm, seconded by Mr. Stanton  
VOTED 5-0-0